FARAD CONTINUATION SHEET NO.:
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE
CIVIL APPLICATION NO.3051 OF 2005
WITH
CIVIL APPLICATION NO.1243 OF 2005
IN
FIRST APPEAL NO.710 OF 2005

Office Notes, Office Memoranda of coram, appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's orders.

C.A.No.3051 of 2005

Ms.S.V.Sonawane for applicant.
Mr.Prakash G. Lad for respondents.

C.A.No.1243 of 2005

Mr.Prakash G. Lad for applicant.
Ms.S.V.Sonawane for res.No.1.

CORAM : H.L GOKHALE &
SMT.R.S.DALVI, JJ.
DATED : 20th September 2005

P.C. :

1. Civil Application No.3051 of 2005 is filed by the widow of the deceased claiming disbursement of the amounts which are awarded by the Motor Accident Claims Tribunal Mumbai ("Accident Tribunal" for short).

2. Civil Application No.1243

of 2005 is filed by the Insurance Company to seek stay on the Award of the Accident Tribunal. The Insurance Company has deposited an amount of Rs.37,44,727/- in the trial Court.

3. As per the record, the salary of the deceased taken into consideration by the Accident Tribunal was around Rs.12,000/-. On the footing that the take-home salary would be 2/3rd i.e. Rs.8,000/-, it will be desirable that the widow of the deceased gets at-least that much amount per month regularly. Hence, out of this amount of Rs.37,00,000/-, we direct the Accident Tribunal to invest Rs.16,00,000/- in Reserve Bank Bonds in the name of the Tribunal and the interest will be paid to her every six months. Out of the remaining amount, we direct the Accident Tribunal to release Rs.6,00,000/- to the daughter of

the deceased who is now of the marriageable age, Rs.4,00,000/- to the son of the deceased who is pursuing higher education, Rs.2,00,000/- in the name of the mother of the deceased and Rs.2,00,000/- to the widow of the deceased. These amounts to be released unconditionally. The remaining amount of Rs.7,44,727/- will be invested by the Accident Tribunal in postal deposit and the interest will be paid to the widow of the deceased. Thus, the amount of Rs.16,00,000 and Rs.7,44,727/- will be available when the Appeal comes for final hearing.

4. Both the Civil Applications stand disposed of with this order.

(H.L.GOKHALE, J.)

(SMT.R.S.DALVI, J.)